

Dkt. 76919/JPW/JSW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patentees : Raymond G. Gauthier, et al.  
Patent No. : 7,138,776  
Issued : November 21, 2006  
For : METHOD AND APPARATUS FOR CONTROLLING  
BRUSHLESS DC MOTORS IN IMPLANTABLE MEDICAL  
DEVICES  
Serial No. : 09/349,575  
Filed : July 8, 1999

1185 Avenue of the Americas  
New York, New York 10036

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REVOCATION OF POWER OF  
ATTORNEY AND APPOINTMENT OF NEW ATTORNEYS

In accordance with 37 C.F.R. §3.73(b), Heartware, Inc., 3351 Executive Way, Miramar, Florida 33025, is the assignee of all right, title, and interest in and to the above-identified application by virtue of an assignment from Kriton Medical, Inc., a copy of which is attached hereto as **Exhibit A**. This Assignment was submitted to the United States Patent and Trademark Office for recording, and was recorded at Reel No. 016069, Frame No. 0966 on May 31, 2005.

Heartware, Inc. hereby revokes all powers of attorney previously granted and appoints the following attorneys: John P. White (Reg. No. 28,678); Christopher C. Dunham (Reg. No. 22,031); Norman H. Zivin (Reg. No. 25,385); William E. Pelton (Reg. No. 25,702);

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Robert D. Katz (Reg. No. 30,141); Peter J. Phillips (Reg. No. 29,691); Paul Teng (Reg. No. 40,837); and Gary J. Gershik (Reg. No. 39,992) and each of them, all c/o Cooper and Dunham LLP, 1185 Avenue of the Americas, New York, New York 10036 (Tel. (212) 278-0400), its attorneys, each with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U.S. Patent and Trademark Office in connection therewith.

Please address all communications and direct all telephone calls regarding this application to:

JOHN P. WHITE  
COOPER & DUNHAM LLP (Customer No. 23432)  
1185 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036  
TEL. (212) 278-0421

I certify that I am authorized to sign this Revocation of Power of Attorney and Appointment of New Attorneys on behalf of Heartware, Inc.

Heartware, Inc.

By: \_\_\_\_\_



Date: \_\_\_\_\_

4 APRIL 07

Printed Name: \_\_\_\_\_

Jeffrey A. LaRose

Title: \_\_\_\_\_

Vice President

# **EXHIBIT A**

**ASSIGNMENT OF UNITED STATES PATENT APPLICATIONS**

For good and valuable consideration, the receipt of which is hereby acknowledged,  
Kriton Medical, Inc., a Delaware corporation having a place of business at 3351 Executive Way,  
Miramar, Florida 33025, hereby assigns to HeartWare, Inc., a Delaware corporation having a  
place of business at 3351 Executive Way, Miramar, Florida 33025, its entire right, title and  
interest in the United States patent applications listed in the attached Exhibit A, along with the  
inventions of said patent applications and in any divisional, continuation, and continuation-in-  
part, and any patents that may issue from said applications.

KRITON MEDICAL, INC.

By: 

(SEAL)

Printed Name: David A. Neafus

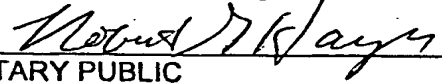
Title: CFO

Date: as of 10 July 2003

STATE OF MASSACHUSETTS )  
COUNTY OF NORFOLK ) SS.

On this 10<sup>th</sup> day of JULY, 2003, before me, a notary public in and  
for the County and State aforesaid, appeared David A. Neafus, to me personally  
known to be the same person whose name is subscribed to the foregoing instrument,  
and acknowledged that he executed said instrument as his free and voluntary act for the  
uses and purposes therein expressed.

WITNESS my hand and seal the day and year last above given.

  
NOTARY PUBLIC

(NOTARY SEAL)

KRITON MEDICAL INC. US PATENT APPLICATIONS

OUR FILE NO.	COUNTRY(S)	SERIAL NO./PATENT NO.	ISSUE DATE	FILING DATE	INVENTION TITLE
457990	USA	SN 10/034,873		12/26/01	Sealless Rotary Blood Pump
458300	USA	SN 09/349,575		07/08/99	Method & Apparatus For Controlling Brushless Dc Motors In Implantable Medical Devices
14455	USA	SN 10/184,481		06/26/02	Connector For Blood Pump
14561 456100	USA	SN 09/559,423		04/27/00	Power System For An Implantable Heart Pump

Exhibit A